



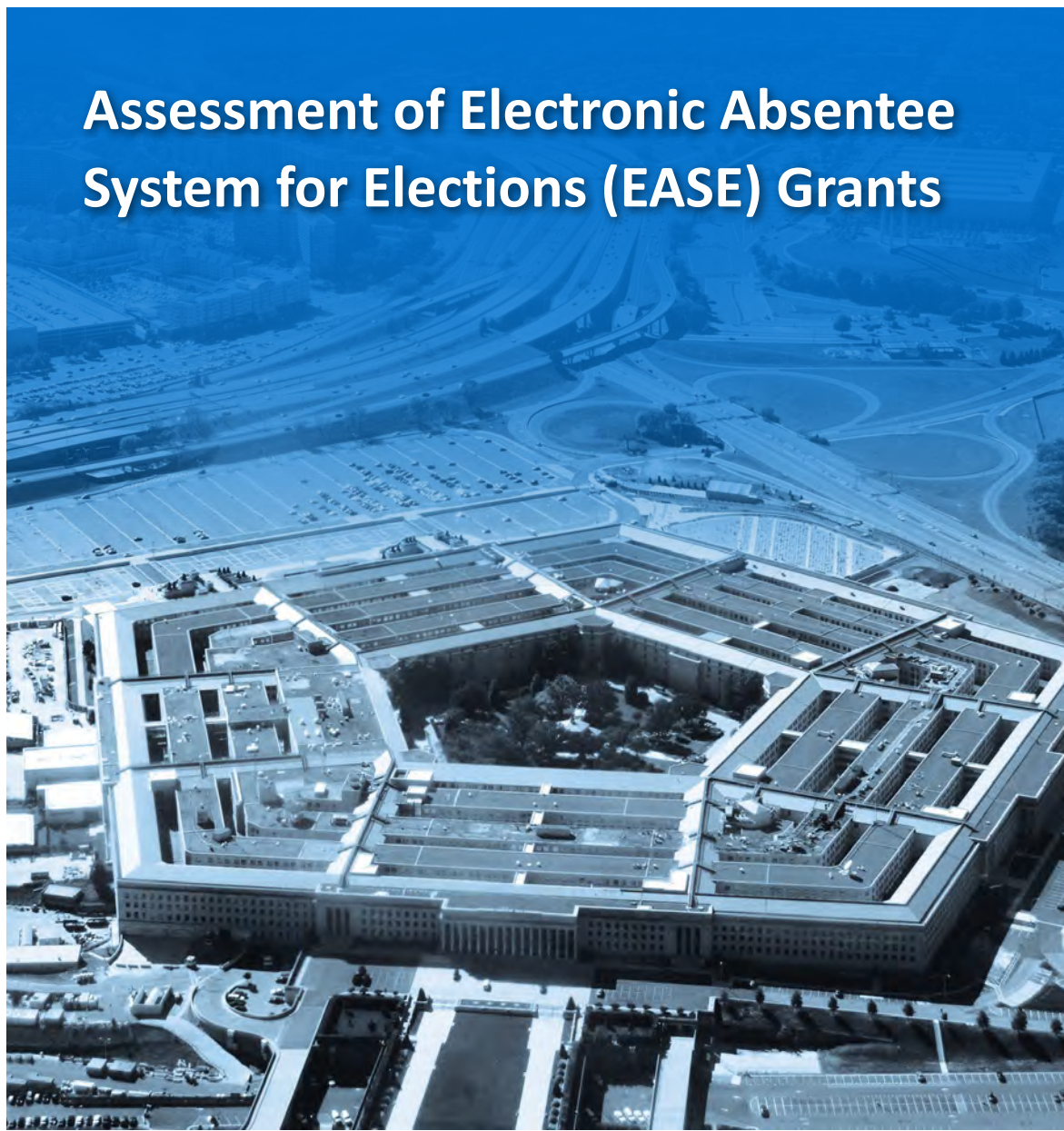
# INSPECTOR GENERAL

*U.S. Department of Defense*

JUNE 30, 2015



## Assessment of Electronic Absentee System for Elections (EASE) Grants



INTEGRITY ★ EFFICIENCY ★ ACCOUNTABILITY ★ EXCELLENCE

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# Results in Brief

## *Assessment of Electronic Absentee System for Elections (EASE) Grants*

**June 30, 2015**

### Objective

We conducted this assessment in response to a June 2014 congressional request from the Chairman and Ranking Member, Military Personnel Subcommittee, House Armed Service Committee.

Our objective was to determine whether recipients of Electronic Absentee System for Elections (EASE) 2.0 grants inappropriately used grant funds to develop systems for the electronic return of a marked ballot. Additionally, we determined how the DoD Federal Voting Assistance Program (FVAP) office accounted for approximately \$85 million in Research, Development, Test, and Evaluation (RDT&E) funds received between 2009 and 2013.

### Observations

We reviewed EASE 2.0 grants to determine whether grant recipients used the EASE 2.0 grant funds to develop systems that could return a marked ballot via electronic transmission. During our assessment, we did not identify any indicators that EASE 2.0 grant funds were used inappropriately in regards to developing systems that could return a marked ballot electronically.

Additionally, we reviewed how FVAP accounted for approximately \$85.7 million in RDT&E funds requested between FY 2010 and FY 2013. No RDT&E funds were requested for FY 2009. FVAP used these RDT&E funds to execute the EASE

### Observations (cont'd)

and EASE 2.0 grant programs, as well as approximately 10 other RDT&E-funded projects to support FVAP's mission of providing support to military and overseas voters.

Since we did not identify any instances of inappropriate use of grant funds and FVAP was able to demonstrate how they accounted for RDT&E funds received between 2010 and 2013, this report does not make any recommendations.

### Management Comments

We provided a discussion draft to FVAP and select EASE 2.0 grant recipients. We considered management comments to the discussion draft of this report when preparing the final report.







**INSPECTOR GENERAL  
DEPARTMENT OF DEFENSE  
4800 MARK CENTER DRIVE  
ALEXANDRIA, VIRGINIA 22350-1500**

June 30, 2015

MEMORANDUM FOR DIRECTOR, DEFENSE HUMAN RESOURCES ACTIVITY  
DIRECTOR, FEDERAL VOTING ASSISTANCE PROGRAM

SUBJECT: Assessment of Electronic Absentee System for Elections (EASE) Grants  
(Report No. D2015-2015-135)

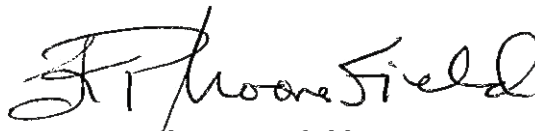
We are providing this report for information and use. We conducted this assessment in response to a June 2014 congressional request from the Military Personnel Subcommittee, House Armed Service Committee.

We identified no indicators that EASE 2.0 grant funds were used inappropriately with regard to developing systems that could result in the electronic return of a marked ballot. Additionally, we evaluated how the Defense Human Resources Activity (DHRA) and the Federal Voting Assistance Program (FVAP) accounted for approximately \$85.7 million in Research, Development, Test, and Evaluation (RDT&E) funds requested from FY 2009 through FY 2013.

We conducted this assessment from October 2014 to June 2015 in accordance with the "Quality Standards for Inspections and Evaluations," published in January 2012 by the Council of Inspectors General on Integrity and Efficiency. We considered management comments from FVAP and select EASE 2.0 grant recipients to a discussion draft of this report. Since we did not identify any concerns with the processes used by DHRA, FVAP, or EASE 2.0 grant recipients, and since FVAP was able to account for its use of RDT&E funds, we are not making any recommendations in this report.

Since this report contains no recommendations, no written comments are required. However, if you would like to provide comments to this report, please ensure that they conform to the requirements of DoD Directive 7650.3 and are sent to [SPO@dodig.mil](mailto:SPO@dodig.mil).

We appreciate the courtesies extended to the staff. Please direct questions to [REDACTED] or [REDACTED]. If you desire, we will provide a formal briefing on the results.

  
Kenneth P. Moorefield  
Deputy Inspector General  
Special Plans and Operations



# Contents

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## Introduction

Objective	1
Background	1

## Observation 1. Review of EASE 2.0 Grants

Discussion	7
Conclusion	12

## Observation 2. Review of FVAP RDT&E Funds

Discussion	13
Conclusion	16

## Appendixes

Appendix A. Scope and Methodology	17
Appendix B. EAC and NIST Reports and Studies	19
Appendix C. Breakdown of RDT&E Funds by Grant or Project	20

## Acronyms and Abbreviations





# Introduction

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## Objective

We conducted this assessment in response to a June 24, 2014, congressional request by the Chairman and Ranking Member of the Military Personnel Subcommittee, House Armed Services Committee. The objective of this assessment was to determine whether recipients of Electronic Absentee System for Elections (EASE) 2.0 grants inappropriately used grant funds to develop systems for the electronic return of a marked ballot. Additionally, we were tasked to determine how the DoD's Federal Voting Assistance Program (FVAP) office accounted for approximately \$85 million in Research, Development, Test, and Evaluation (RDT&E) funds received between 2009 and 2013.

## Background

### ***States and Territories Determine How Their Residents Vote***

The United States Constitution entrusts states with the authority to determine how to conduct elections within their state.<sup>1</sup> The Uniformed and Overseas Absentee Citizens Voting Act (UOCAVA) of 1986, the Help America Vote Act of 2002, and the Military and Overseas Voter Empowerment Act of 2009 are examples of Federal statutes that shape or guide the election laws within each state by establishing deadlines for providing balloting material, identifying specific means for the transmission of balloting material, and providing funding to states to assist with the administration of certain Federal elections laws and programs. However, the overall authority to determine how the residents of a particular state vote is ultimately the responsibility of the state. As a result, the election laws and voting processes vary from state to state.

### ***Brief History of Voting Using Electronic Means***

The National Defense Authorization Act (NDAA) of 2002 directed DoD to establish an Electronic Voting Demonstration Project for military and overseas voters.<sup>2</sup> FVAP developed a system that was intended to be deployed for the 2004 elections. However, industry reports triggered a shutdown of the demonstration project due to security concerns over the legitimacy of online votes. The NDAA of 2005 amended the previous provision and directed DoD to establish an Electronic Voting Demonstration Project once the U.S. Election Assistance Committee (EAC)

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<sup>1</sup> United States Constitution, Article I, Section 4. However, Congress may at any time by law make or alter such regulations.

<sup>2</sup> Public Law 107-107, "National Defense Authorization Act for Fiscal Year 2002," December 28, 2001, Section 1604.

had established electronic absentee voting guidelines and certified that it would assist the Secretary of Defense with carrying out the project.<sup>3</sup> The NDAA of 2015 formally repealed the requirement to develop an Electronic Voting Demonstration Project from the NDAA of 2002 and thereby canceled the project.<sup>4</sup>

Between 2008 and 2011, EAC and the National Institute for Standards and Technology (NIST) issued several reports and studies detailing the threats posed to each phase of the absentee voting process to include the electronic return of marked ballots. Specifically, several of the reports discussed threats and security considerations when transmitting election material, either to the voter or from the voter, via facsimile (fax), electronic mail (e-mail), or any other means of electronic transmission over the Internet. For further discussion on the NIST and EAC reports, see Appendix B.

### ***Federal Voting Assistance Program***

FVAP works to ensure Service members, their eligible family members, and overseas citizens are aware of their right to vote and have the tools and resources to successfully do so from anywhere in the world. The Director, FVAP administers the UOCAVA on behalf of the Secretary of Defense. FVAP assists voters through partnerships with the Military Services, Department of State, Department of Justice, and election officials from 50 states, U.S. territories, and the District of Columbia.

DoD Instruction 1000.04, “Federal Voting Assistance Program,” September 13, 2012, requires FVAP to establish and maintain contact with state election officials, state legislators, and with other state and local government officials to improve the absentee voting process of UOCAVA eligible voters. Additionally, FVAP shall obtain, from each state, current voter registration and absentee voting information and disseminate it to other Federal Executive departments, agencies, DoD Components, and voters. Finally, DoD Instruction 1000.04 requires FVAP to establish and maintain an FVAP website that provides:

- information to citizens on the voter registration process and absentee voting process;
- information on the means of electronic transmission of election materials allowed by each state;
- a method to assist citizens in the voter registration process and how to request an absentee ballot;

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<sup>3</sup> Public Law 108-375, “Ronald R. Reagan National Defense Authorization Act for Fiscal year 2005,” October 24, 2004, Section 567.

<sup>4</sup> Public Law 113-291, “Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal year 2015,” December 2014, Section 593.

- a list of state contact information; and
- a portal that hosts Service-specific information regarding voting assistance programs, the contact information for Voting Assistance Officers with the DoD Component, procedures to order voting materials, and links to other Federal and state voting websites.

### ***Electronic Absentee System for Elections Grants Programs***

Under the authority of section 6304, title 31, United States Code, FVAP established the EASE research grant program under legislative direction to conduct one or more pilot projects to test the feasibility of using new election technology for the benefit of UOCAVA voters. According to FVAP, the EASE research grant program allowed FVAP to test a wider range of election technologies more quickly and examine a greater number of solutions through research grants to states and localities than FVAP could through DoD-administered research initiatives.

In 2011 and 2012, in support of FVAP's first generation of EASE grants, the Defense Human Resources Activity (DHRA) awarded a total of \$25.5 million to 35 states and localities to explore technological improvements for military and overseas voters. The EASE research grant program included funding to develop tools for online ballot delivery, online voter registration, automated ballot duplication, online ballot requests, and online ballot tracking. The goal of the research grant program was to evaluate the effect that innovative technologies have on the ballot return rate for military and overseas voters. For a full list of EASE grant recipients, please see Appendix C.

In 2013, in support of the second generation of FVAP's EASE grants (EASE 2.0), DHRA awarded approximately \$10.5 million to 11 states and localities to explore technological improvements for military and overseas voters. The EASE 2.0 research grant program focused on two specific areas: the development of online ballot delivery tools and creating a single point of contact for the transmission of election materials in state election offices. For a full list of EASE 2.0 grant recipients, please see Appendix C.

FVAP included provisions in the EASE and EASE 2.0 grant terms and conditions that prohibited grant recipients from using DoD funds to develop systems for the electronic return of a marked ballot. Specifically, EASE grant terms and conditions required recipients to comply with the following conditions:

- The electronic transmission of voted ballots in an actual election will not be funded through this grant. This includes, but is not limited to the transmission of ballots via the internet, email, and facsimile.

- This grant prohibits the integration of separate electronic voted ballot return system developed at the recipients' expense into this funded research project.
- This grant does not prohibit the use of electronic voted ballot return system developed at the recipient's expense that is separate and independent of this funded research project.
- This grant does not prohibit demonstration projects that test the electronic transmission of voted ballots to analyze the security and reliability of online voted ballot transmission systems in environments other than actual elections.

The EASE 2.0 grant terms and conditions contained different provisions than the EASE grant terms and conditions. Specifically, the EASE 2.0 grant terms and conditions required recipients to comply with the following conditions:

These grant awards **will not** fund the electronic return of a voted ballot. Applicants will certify prior to grant award that they **will not** use any grant funds to develop a system for the electronic return of a marked ballot. Further, applicants will certify that they **will not** use the system components developed with grant funds after the award ends, for the electronic return of a marked ballot.

### ***Congressional Request***

On June 24, 2014, the Chairman and Ranking member of the Military Personnel Subcommittee, House Armed Services Committee, requested the DoD OIG to review FVAP's EASE grants and determine whether grant funds were used inappropriately. Specifically, the Military Personnel Subcommittee requested the DoD OIG to:

Conduct a full and thorough investigation to determine whether the grants have been used to develop the technical capacity, functionality, and actual use of voted ballots being returned electronically.

Additionally, the request stated that from 2009 to 2013, FVAP received nearly \$85 million in RDT&E funds to conduct research on subjects such as the development of an Internet Voting Demonstration Project. The EASE and EASE 2.0 grant programs accounted for approximately \$35 million of the funds. The Military Personnel Subcommittee also requested the DoD OIG to include in their review:

A full accounting of RDT&E funds that have been expended to date.

The request provided a specific reference to the EASE 2.0 grant provision which prohibited use of EASE 2.0 grants funds to fund the electronic return of a voted ballot. The request did not reference the EASE grant provision, which allowed grant funds to be used for demonstration projects that test the electronic transmission of voted ballots, as long as the demonstration projects were not used in an actual election. Based on the referenced EASE 2.0 provision and the differences in the provisions between the two generations of grants, we limited our review of the use of grant funds for developing systems that resulted in the electronic return of a marked ballot to EASE 2.0 grants. However, EASE grants were included in our review of how FVAP accounted for RDT&E funds.





## Observation 1

### Review of EASE 2.0 Grants

We reviewed EASE 2.0 grants to determine whether grant recipients used the EASE 2.0 grant funds to develop systems that could return a marked ballot via electronic transmission. During our assessment, we did not identify any indicators that EASE 2.0 grant funds were used inappropriately in regards to developing systems that could return a marked ballot electronically.

### Discussion

#### *Termination of Arizona's Grant*

In September 2013, Arizona's Secretary of State's office was awarded a \$367,000 grant under the EASE 2.0 grant program. However, in November 2014, Arizona's Secretary of State's office requested that the DHRA Grants Officer terminate the grant for reasons related to pay issues between DHRA and Arizona. In February 2015, the DHRA Grants Officer issued a bilateral modification to Arizona's grant terminating the grant in its entirety. All \$367,000 of Arizona's grant were returned to DoD and deobligated. No DoD funds were expended in support of Arizona's grant.

#### *Review of the Remaining EASE 2.0 Grants*

As a result of the termination of Arizona's grant, our review of the EASE 2.0 grant program consisted of 10 grants worth \$10,164,898. The 10 EASE 2.0 grants were awarded at either the state or local level across 8 different states.<sup>5</sup> We reviewed state laws that detailed the absentee voting process for UOCAVA eligible voters in each of the eight states that received an EASE 2.0 grant award. We categorized the 10 grants into 2 groups:

- grants that were awarded to states or localities where state laws currently allow for the electronic return of a marked ballot via e-mail; and
- grants that were awarded to states or localities where state laws currently do not allow for the electronic return of a marked ballot via e-mail.

<sup>5</sup> Florida (Okaloosa County), Idaho, Kentucky, Maryland, Nevada, Rhode Island, Texas (Rockwall County and Travis County), and Washington (King County and Kitsap County).

Three EASE 2.0 grants were awarded to states or localities that allowed for the electronic return of a marked ballot via e-mail. The recipients of these grants were Nevada; King County, Washington; and Kitsap County, Washington. We conducted site visits to these three locations to observe the systems developed or purchased using EASE 2.0 grant funds. We also reviewed grant files and grant documentation for the second group of EASE 2.0 grants. We also conducted a site visit to the Maryland State Board of Elections.

### ***Grant Recipients Where State Laws Allow for the Electronic Return of a Marked Ballot via E-mail***

As discussed, we conducted site visits to Nevada; King County, Washington; and Kitsap County, Washington. State codes and regulations for Nevada and Washington currently allow UOCAVA eligible voters to return their marked ballot via mail, fax, or e-mail. During our site visits to these locations we met with personnel responsible for overseeing state or county elections processes and received demonstrations of the current systems purchased or developed using EASE 2.0 grants funds. In each case, we observed that the voting system purchased or developed using EASE 2.0 grant funds and the current voting processes used by these grant recipients did not result in their voting systems returning a marked ballot electronically.

#### ***Nevada's Use of EASE 2.0 Grant Funds***

The Office of the Nevada Secretary of State applied for and received an EASE 2.0 grant worth \$386,500. Nevada's EASE 2.0 grant application identified the development of a uniform statewide UOCAVA ballot delivery system as the core component of Nevada's proposed project. Nevada's EASE 2.0 grant application also clearly stated that the proposed system would not electronically return a marked ballot.

During our site visit, personnel from the Nevada Secretary of State's office provided a demonstration of the online ballot delivery system developed using EASE 2.0 grant funds. Once a voter has moved through a series of screens that identified the voter, the system then produced a ballot the voter could mark online. Once complete, the voter had the option to then print off and mail or fax the marked ballot to the voter's respective county election official. The third option allowed the voter to save the marked ballot to their computer's hard drive and e-mail the file using their personal e-mail account to the voter's respective county election official. The system demonstrated by Nevada's Secretary of State's office did not

allow for a voter to electronically return a marked ballot using the system itself. Based on our observations, we determined Nevada's Secretary of State's office was not in violation of the EASE 2.0 grant terms and conditions provision prohibiting the use of EASE 2.0 grant funds to fund the electronic return of a voted ballot.

### *King County Consortium's Use of EASE 2.0 Grant Funds*

The King County Elections Office, King County, Washington, applied for and received an EASE 2.0 grant worth \$1,818,700. King County applied for the grant as the lead representative on behalf of a consortium of 11 Washington counties. The King County Consortium purchased an election administration system to assist with the absentee voting processes for UOCAVA eligible voters.

During our site visit to King County, personnel from the King County Elections Office demonstrated how Washington's UOCAVA eligible voters can access and use their system to participate in the absentee voting process. Additionally, we observed the facilities used by the King County Elections Office to receive, account for, and tabulate both traditional and absentee ballots.

We observed during the demonstration provided by King County Elections Office personnel that UOCAVA eligible voters could request, receive, and mark their ballot online using the election administration software purchased by the King County Consortium. However, in order to return the marked ballot, the voter must print it out, sign a Washington voter declaration, and then return the declaration and ballot via mail or fax. The voter could also electronically scan the signed declaration and marked ballot, attach them to an e-mail using their personal e-mail account, and e-mail the scanned copy of the signed declaration and marked ballot to the voter's respective county election official. The system demonstrated by King County Elections Office personnel did not allow for a voter to electronically return a marked ballot using the system itself. Based on our observations, we determined King County Elections Office was not in violation of the EASE 2.0 grant terms and conditions provision prohibiting the use of EASE 2.0 grant funds to fund the electronic return of a voted ballot.

### *Kitsap County Consortium's Use of EASE 2.0 Grant Funds*

The Kitsap County Elections Office, Kitsap County, Washington, applied for and received an EASE 2.0 grant worth \$743,580. Kitsap County applied for the grant as the lead representative on behalf of a consortium of 23 Washington counties. The Kitsap County Consortium purchased an election administration system to provide greater access to online services and tools for UOCAVA eligible voters.

During our site visit to Kitsap County, Washington, personnel from the Kitsap County Elections Office demonstrated how Washington's UOCAVA eligible voters can access and use their system to participate in the absentee voting process. As part of the election administration software purchased by the Kitsap County Consortium, UOCAVA eligible voters could request, receive, and mark their ballots online. However, in order to return the marked ballot, the voter must print it out, sign a Washington voter declaration, and then return the declaration and ballot via mail or fax. The voter could also electronically scan the signed declaration and marked ballot, attach it to an e-mail using their personal e-mail account, and e-mail the scanned copy of the signed declaration and marked ballot to the voter's respective county election official. The system demonstrated by Kitsap County Elections Office personnel did not allow for a voter to electronically return a marked ballot using the system itself. Based on our observations, we determined Kitsap County Elections Office was not in violation of the EASE 2.0 grant terms and conditions provision prohibiting the use of EASE 2.0 grant funds to fund the electronic return of a voted ballot.

### ***Grant Recipients Where State Laws Do Not Allow for the Electronic Return of a Marked Ballot via E-mail***

As discussed above, there are seven EASE 2.0 grant recipients<sup>6</sup> whose state laws currently do not allow for the electronic return of a marked ballot through e-mail. For each of these EASE 2.0 grant recipients, we reviewed documentation that included grant applications, the grant terms and conditions, legal reviews, and recipient developed reports. Additionally, we conducted a site visit to the Maryland State Board of Elections. From our review, we identified no indication that these EASE 2.0 grant recipients were in violation of the terms and conditions of the EASE 2.0 grant or their own state laws, which do not allow for the electronic return of a marked absentee ballot via e-mail.

### ***Life-Cycle Election Software Packages***

During our review we identified several EASE 2.0 grant recipients that applied for EASE 2.0 grants in order to purchase an election administration software package. These EASE 2.0 grant recipients included Okaloosa County, Florida; Idaho; Rockwall County, Texas; King County, Washington; and Kitsap County, Washington. While each software package differs from vendor to vendor, election administration software packages can provide states or localities the option to use pre-developed modules for online voter registration, online ballot request, online ballot delivery, and online ballot marking. Some election administration software packages may contain a module for the electronic return of a marked ballot.

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<sup>6</sup> Okaloosa County, Florida; Idaho; Kentucky; Maryland; Rhode Island; Rockwall County, Texas; and Travis County, Texas.

During our site visits to King and Kitsap Counties, we observed that these return modules were either disabled or not part of the customized software package purchased and used by the EASE 2.0 grant recipient. This was because Washington's state laws, hereby referred to as the Revised Code of Washington, allow for UOCAVA eligible voters to return their absentee ballot by mail, fax, or e-mail only. Additionally, the Revised Code of Washington requires ballot declarations to have a hand-written signature in order for the signature to be verified against voter signatures maintained in the voter registration files of each county. Any change to Washington's absentee voting process to allow for an additional type of electronic transmission, such as uploading a marked ballot to an online repository or direct Internet voting, would require a change to the Revised Code of Washington. Likewise, Florida, Idaho, and Texas would need to amend current state laws in order to allow for the return of a marked ballot by means other than mail (Idaho) or mail and fax (Florida and Texas).

DoD Instruction 1000.04 requires that FVAP must establish and maintain an FVAP website that provides information to citizens on voter registration, the absentee voting process, and information on the means of electronic transmission of election materials allowed by each state.<sup>7</sup> To meet these requirements, FVAP maintains a publicly accessible portal on their website that allows users to access voter information for any state or U.S. territory. The FVAP portal provides information on subject areas such as how to register to vote, request an absentee ballot, or check the status of a ballot. Additionally, FVAP developed Absentee Voting Guidelines for each state or U.S. territory which provide UOCAVA eligible voters with information and website links to register to vote, request and submit Federal Post Card Applications, and return a voted absentee ballot or Federal Write-In Ballot in one downloadable document. According to FVAP personnel, FVAP conducts regular monitoring of state election laws in order to fulfill their DoD Instruction 1000.04 requirements.

FVAP's monitoring of state election laws maintained in their online portal is a control that can identify opportunities for potential misuse of EASE 2.0 grant funds. Amendments to state elections laws and procedures that would change the processes used by UOCAVA eligible voters to participate in absentee voting would be identified by FVAP through this monitoring. Further, if the state election laws of an EASE 2.0 grant recipient were amended, FVAP has the ability to conduct further investigations into potential misuse.

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<sup>7</sup> DoD Instruction 1000.04, Enclosure 3, para f.

The grant awards permit the DHRA Grants Officer, or authorized representatives, to make site visits to grant recipients to review the project's accomplishments and to provide technical assistance as required. As the Grant Program Office, FVAP ensures the grant recipients are in compliance with all technical aspects of the grant. FVAP is required to notify the DHRA Grants Officer if a grant recipient's performance is not satisfactory. Additionally, DHRA has the authority as the awarding agency to recover any misused funds, withhold payments, or wholly or partially terminate a grant in the event of any wrongdoing.

## Conclusion

Based on our observations during site visits, review of the state laws of EASE 2.0 grant recipients, and our review of available documentation associated with the EASE 2.0 grant program, we determined that there was no indication that EASE 2.0 grant recipients violated the terms and conditions of their EASE 2.0 grant prohibiting the use of DoD funds to fund the electronic return of a voted ballot.



## Observation 2

### Review of FVAP RDT&E Funds

As requested by the Military Personnel Subcommittee, we reviewed how FVAP accounted for approximately \$85.7 million in RDT&E funds received from FY 2010 through FY 2013. FVAP used these RDT&E funds to execute the EASE and EASE 2.0 grant programs, as well as approximately 10 other RDT&E funded projects to support FVAP's mission of providing support to UOCAVA eligible voters.

### Discussion

#### ***DHRA Presidential Budget Requests for RDT&E Funds***

From FY 2010 through FY 2013, DHRA submitted RDT&E requests for FVAP in their annual President's Budget submissions. The total amount of requested RDT&E funds in the DHRA President's Budget submissions for FVAP from FY 2010 until FY 2013 was \$85,697,000. DHRA did not request any RDT&E funds for FVAP in FY 2009.

From the approximately \$85.7 million of RDT&E funds requested by DHRA for FVAP, several adjustments were made during each fiscal year. Some annual adjustments were made as a result of resource management decisions made by the Office of the Secretary of Defense. Other reductions were made as a result of Sequestration<sup>8</sup> or to support the Small Business Innovation Research program<sup>9</sup> and Small Business Technology Transfer program.<sup>10</sup> Additionally, DHRA made some internal adjustments to RDT&E funds to account for shortages in other DHRA Components within the same program element. From FY 2010 through FY 2013, these adjustments totaled approximately \$13.5 million. As a result, FVAP received approximately \$72.2 million to execute both the EASE and EASE 2.0 grant programs and other RDT&E projects. See Table 1 for a breakdown of RDT&E funds requested by DHRA, annual adjustments made, and RDT&E funds received by FVAP by fiscal year.

<sup>8</sup> Public Law 112-25, "Budget Control Act of 2011," August 2, 2011.

<sup>9</sup> The Small Business Innovation Research program established under Public Law 97-219, "Small Business Innovation Development Act of 1982," requires Federal agencies with extramural research and development budgets that exceed \$100 million to allocate 2.8% of their research and development budget to these programs. DoD is one of the 11 Federal agencies that participates in the program.

<sup>10</sup> The Small Business Technology Transfer program, established under Public Law 102-564, "Small Business Technology Transfer Act of 1992," requires federal agencies with extramural research and development Budgets that exceed \$1 billion to reserve 0.3% for awards to small businesses. DoD is one of the five Federal agencies that participate in the program.

*Table 1. DHRA Requested RDT&E Funds Received by FVAP (\$ in Millions)*

	FY09	FY10	FY11	FY12	FY13	Total
DHRA President's Budget Request	\$0.0	\$9.9	\$39.0	\$27.1	\$9.7	\$85.7
Adjustments	\$0.0	\$3.9	\$1.3	\$4.8	\$3.5	\$13.5
<b>RDT&amp;E funds received by FVAP</b>	<b>\$0.0</b>	<b>\$5.9</b>	<b>\$37.8</b>	<b>\$22.3</b>	<b>\$6.2</b>	<b>\$72.2</b>

Note: Totals may not equal the actual sum because of rounding.

Source: Office of the Under Secretary of Defense (Comptroller) and DHRA (all figures as of April 2015)

### ***FVAP RDT&E Grants and Research Projects***

FVAP's use of the \$72.2 million in RDT&E funds can be broken into three categories: EASE grants, EASE 2.0 grants, and other research projects. The EASE grant program consisted of 35 grants worth approximately \$25.3 million. EASE 2.0 grant program originally consisted of 11 grants worth approximately \$10.5 million, but was reduced to 10 grants worth approximately \$10.2 million with the termination of Arizona's grant. Additionally, FVAP obligated \$28.2 million in RDT&E funds to execute 10 other projects that supported FVAP's mission of providing support to UOCAVA eligible voters. Examples of these projects included, but are not limited to, a joint research project with the EAC to identify opportunities to improve voting for Wounded Warriors, analysis of the Electronic Voting Demonstration Project developed in response to the NDAA's of 2002 and 2005, and the development of a web portal for use on FVAP's public website. Table 2 provides a summary of RDT&E funds obligated, funds expended to date,<sup>11</sup> and unliquidated funds<sup>12</sup> for each of the three categories discussed above. For a more detailed breakdown of RDT&E funds by program and project, see Appendix C.

<sup>11</sup> These include obligated RDT&E funds that have been expended and funds that have been approved for payment to the grant recipient or contractor but have yet to be dispersed.

<sup>12</sup> These include obligated RDT&E funds that have yet to be expensed or have not been approved for payment to the grant recipient or contractor.

*Table 2. FVAP Projects and Programs funded with RDT&E funds (\$ in millions)*

	Obligated	Expended	Unliquidated
EASE Grants	\$25.3	\$15.5	\$9.8
EASE 2.0 Grants	\$10.2	\$4.6	\$5.5
Other Projects	\$28.2	\$23.0	\$5.1
<b>Total</b>	<b>\$63.7</b>	<b>\$43.2</b>	<b>\$20.5</b>

Note: Totals may not equal the actual sum because of rounding.

Source: FVAP (all figures as of April 2015)

Of the \$72.2 million in RDT&E funds received from DHRA, FVAP obligated only \$63.7 million towards EASE grants, EASE 2.0 grants, and other research and development projects. As a result, FVAP under executed on their planned RDT&E obligations by approximately \$8.5 million. Table 3 provides a breakdown of RDT&E funds obligated by FVAP from FY 2010 through FY 2013.

*Table 3. FVAP Execution by Fiscal year of RDT&E Funds (\$ in millions)*

	DHRA Allotment	Obligated by FVAP	Unobligated Funds
FY 2010	\$5.9	\$5.8	\$.1
FY 2011	\$37.8	\$33.2	\$4.6
FY 2012	\$22.3	\$19.6	\$2.7
FY 2013	\$6.2	\$5.1	\$1.1
<b>Total</b>	<b>\$72.2</b>	<b>\$63.7</b>	<b>\$8.5</b>

Note: Totals may not equal the actual sum because of rounding.

Source: FVAP (all figures as of April 2015)

FVAP personnel stated that, during this timeframe, several factors led to FVAP under executing based on their planned RDT&E obligations. For example, in FY 2011, FVAP and the United States Postal Service had planned to enter into a joint project to conduct research and analysis on the Postal Automated Redirection System for use in identifying balloting material that had military and diplomatic addresses. According to FVAP personnel, the project, worth approximately \$4.6 million, was canceled before it began. This project alone accounted for nearly all of the unobligated funds for FY 2011 and approximately 54 percent of all of FVAP's \$8.5 million in unobligated funds from FY 2010 through FY 2013.

Further, lack of future requirements led to FVAP underexecuting in FY 2012 and FY 2013. FVAP personnel stated that the EASE 2.0 grant program did not receive as many applicants as originally expected. Additionally, the lack of NIST and EAC-developed standards for transmitting voted ballots electronically, as well as the suspension, and ultimate cancelation of the Electronic Voting Demonstration Project, left FVAP with significantly less RDT&E-funded requirements than what had been planned in previous fiscal years.

In April 2015, DHRA personnel stated that the \$8.5 million in unobligated funds was reported to the Office of the Under Secretary of Defense (Comptroller) [OUSD(C)]. OSD(C) can reprogram these funds for other projects within DoD as needed. If these funds are not reprogrammed by the OUSD(C), they will eventually expire and be returned to the U.S. Treasury.

## Conclusion

During our review, DHRA and FVAP personnel were able to adequately support and justify how RDT&E funds, received between FY 2010 and FY 2013, were managed.

## Appendix A

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### Scope and Methodology

We conducted this assessment from October 2014 through June 2015 in accordance with “Quality Standards for Inspection and Evaluation,” Council of the Inspectors General on Integrity and Efficiency, January 2012. We believe that the evidence obtained was sufficient and appropriate to provide a reasonable basis for our conclusions based on our assessment objectives.

We performed this assessment at the request of the Chairman and Ranking member of the Military Personnel Subcommittee, House Armed Services Committee. During our assessment, we reviewed relevant Federal laws and statutes, state laws, DoD policies, and other appropriate documents. We conducted interviews of the DHRA and FVAP personnel directly associated with the administration and oversight of EASE 2.0 grants as well as with resource managers from both organizations. We also contacted select Administrative Grants Officers assigned to the Defense Contract Management Agency. We conducted site visits to Nevada’s Office of the Secretary of State; the Maryland State Board of Elections; the King County Elections Office, King County, Washington; and the Kitsap County Elections Office, Kitsap County, Washington.

We reviewed DHRA and FVAP supporting documentation for the solicitation, award, and administration of EASE and EASE 2.0 grants. Additionally, we collected and reviewed financial and performance reports from EASE 2.0 grant recipients. Finally, we analyzed publicly available budget submissions from OUSD(C) as well as accounting data provided by DHRA and FVAP.

### Use of Computer-Processed Data

We relied on computer-processed data for this report. We requested and received accounting data from FVAP’s Defense Business Management System Accounting Classification Structure. We conducted tests on the computer-processed data provided by FVAP and determined the data to be sufficiently reliable to support our observations and conclusions.

## Prior Coverage

During the last 5 years, the Government Accountability Office and the Department of Defense Inspector General issued seven reports discussing FVAP's support to service members who qualify under UOCAVA. Unrestricted Government Accountability Office reports can be found at <http://www.gao.gov>. Unrestricted Department of Defense Inspector General reports can be accessed at <http://www.dodig.mil/pubs/index.cfm>.

### **GAO**

Report No. GAO-10-476, "Elections: DoD Can Strengthen Evaluation of Its Absentee Voting Assistance Program," June 17, 2010

### **DoD IG**

Report No. DODIG-2014-051, "Assessment of DoD Federal Voting Assistance Programs for Calendar Year 2013," March 31, 2014

Report No. DODIG-2013-074, "Assessment of Federal Voting Assistance Programs for Calendar Year 2012," April 29, 2013

Report No. DoDIG-2012-123, "Assessment of the Federal Voting Assistance Program Office Implementation of the Military and Overseas Voter Empowerment Act," August 31, 2012

Report No. DoDIG-2012-068, "Assessment of Voting Assistance Programs for Calendar Year 2011," March 30, 2012

Report No. SPO-2011-006, "2010 Evaluation of the DoD Federal Voting Assistance Program (FVAP)," March 22, 2011

Report No. SPO-2010-004, "2009 Evaluation of the DoD Voting Assistance Program," September 27, 2010



## Appendix B

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### EAC and NIST Reports and Studies

We reviewed several EAC and NIST reports and studies that detailed the threats posed to each phase of the absentee voting process to include the electronic return of marked ballots. We reviewed these reports to obtain an understanding of the issues facing UOCAVA voters with the inclusion of new technologies and practices into the UOCAVA absentee voting process. Unrestricted EAC reports can be found at <http://www.eac.gov/research/default.aspx>. Unrestricted NIST reports can be found at <http://www.nist.gov/publication-portal.cfm>.

#### **EAC**

U.S. Election Assistance Commission, "Testing and Certification Technical Paper #2: A Survey of Internet Voting," September 14, 2011

U.S. Election Assistance Commission, "Report to Congress on EAC's Effort to Establish Guidelines for Remote Electronic Absentee Voting Systems," April 26, 2010

#### **NIST**

NISTIR 7711, "Security Best Practices for the Electronic Transmission of Election Materials for UOCAVA Voters," September 2011

NISTIR 7682, "Information System Security Best Practices for UOCAVA-Supporting Systems," September 2011

NISTIR 7770, "Security Considerations for Remote Electronic UOCAVA Voting," February 2011

NISTIR 7551, "A Threat Analysis on UOCAVA Voting Systems," December 2008

## Appendix C

### Breakdown of RDT&E Funds by Grant or Project

Table C-1. EASE Grants

	Recipient	Award	Expended	Remaining	Status
1	Arkansas	\$259,000	\$257,768	\$1,232	Open
2	Bexar County, TX	\$466,939	\$100,833	\$366,106	Open
3	Boone County, MO	\$740,116	\$ –	\$740,116	Terminated
4	California	\$468,522	\$468,522	\$ –	Open
5	Chicago, IL	\$375,300	\$371,500	\$3,800	Open
6	Colorado	\$1,200,000	\$1,087,796	\$112,204	Open
7	Dallas County, TX	\$211,715	\$140,574	\$71,141	Open
8	Detroit, MI (1)	\$275,867	\$231,901	\$43,966	Terminated
9	Detroit, MI (2)	\$392,469	\$235,481	\$156,988	Terminated
10	District of Columbia	\$96,898	\$96,898	\$ –	Open
11	El Dorado County, CA	\$1,831,665	\$1,429,142	\$402,523	Open
12	Harris County, TX	\$516,132	\$100,421	\$415,711	Open
13	King County, WA	\$816,400	\$627,386	\$189,014	Open
14	Louisiana	\$275,000	\$275,000	\$ –	Open
15	Maricopa County, AZ	\$150,000	\$ –	\$150,000	Open
16	Maryland	\$653,719	\$550,723	\$102,996	Open
17	Michigan	\$431,514	\$431,514	\$ –	Terminated
18	Minnesota	\$226,255	\$226,255	\$ –	Open
19	Montana	\$160,027	\$131,318	\$28,709	Open
20	New Jersey	\$802,845	\$501,066	\$301,779	Open
21	New Mexico	\$300,000	\$279,632	\$20,368	Open
22	New York	\$2,480,598	\$965,390	\$1,515,207	Open
23	Ohio	\$1,856,000	\$101,858	\$1,754,142	Open
24	Okaloosa County, FL (1)	\$1,639,878	\$1,141,997	\$497,881	Open
25	Okaloosa County, FL (2)	\$242,531	\$242,531	\$ –	Open
26	Orange County, FL	\$655,420	\$332,000	\$323,420	Open
27	Oregon	\$500,000	\$ –	\$500,000	Open
28	San Bernadino County, CA	\$134,000	\$69,000	\$65,000	Open
29	Santa Cruz County, CA	\$25,000	\$25,000	\$ –	Open

Table C-1. EASE Grants (cont'd)

	Recipient	Award	Expended	Remaining	Status
30	South Carolina	\$1,744,410	\$1,623,156	\$121,254	Open
31	South Dakota	\$668,831	\$505,450	\$163,381	Open
32	Utah	\$532,400	\$328,024	\$204,376	Open
33	Virginia	\$1,818,099	\$1,326,507	\$491,592	Open
34	West Virginia	\$500,000	\$194,480	\$305,520	Open
35	Wisconsin	\$1,919,864	\$1,128,406	\$791,458	Open
<b>TOTAL</b>		<b>\$25,367,414</b>	<b>\$15,527,530</b>	<b>\$9,839,884</b>	

Source: FVAP (all figures as of April 2015)

Table C-2. EASE 2.0 Grants

	Recipient	Award	Expended	Remaining	Status
1	Arizona	\$ –	\$ –	\$ –	Terminated
2	Idaho	\$250,000	\$ –	\$250,000	Open
3	Kentucky	\$2,241,159	\$295,273	\$1,945,886	Open
4	King Co., Washington	\$1,818,700	\$935,825	\$882,875	Open
5	Kitsap Co., Washington	\$743,580	\$565,000	\$178,580	Open
6	Okaloosa Co., Florida	\$1,881,339	\$1,152,600	\$728,739	Open
7	Maryland	\$374,671	\$26,184	\$348,487	Open
8	Nevada	\$386,500	\$57,708	\$328,792	Open
9	Rhode Island	\$50,163	\$27,303	\$22,860	Open
10	Rockwall Co., Texas	\$2,398,836	\$1,561,595	\$837,241	Open
11	Travis Co., Texas	\$19,950	\$19,950	\$ –	Open
<b>TOTAL</b>		<b>\$10,164,898</b>	<b>\$4,641,438</b>	<b>\$5,523,460</b>	

Source: FVAP (all figures as of April 2015)

*Table C-3. Other Research Projects*

	Recipient	Award	Expended	Remaining	Status
1	Electronic Voting Support Wizard	\$1,720,225	\$1,667,897	\$52,328	Closed
2	Electronic Voting Demonstration project	\$7,212,115	\$7,212,115	\$ –	Closed
3	Candidate Database	\$320,177	\$320,177	\$ –	Closed
4	General UOCAVA Research	\$6,721,824	\$6,381,841	\$339,983	Open
5	Overseas Civilian Count Research Study	\$2,744,588	\$1,237,789	\$1,506,799	Open
6	Council of State Government Cooperative Agreement	\$3,240,117	\$424,870	\$2,815,247	Open
7	RAND, Corporation Metrics Study	\$795,000	\$774,661	\$20,339	Open
8	RAND, Corporation Strategic Study	\$1,342,656	\$1,074,640	\$268,016	Open
9	FVAP Portal Development	\$3,271,198.19	\$3,169,966	\$101,232	Open
10	Electronic Data Migration Tool	\$789,000	\$789,000	\$ –	Closed
<b>TOTAL</b>		<b>\$ 28,156,899</b>	<b>\$23,052,955</b>	<b>\$5,103,944</b>	

Note: Some projects listed in this table were consolidated from multiple grant or project numbers.  
Source: FVAP (all figures as of April 2015)

## Acronyms and Abbreviations

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<b>DHRA</b>	Defense Human Resources Activity
<b>EASE</b>	Electronic Absentee System for Elections
<b>EAC</b>	Elections Assistance Committee
<b>FVAP</b>	Federal Voting Assistance Program
<b>NDAA</b>	National Defense Authorization Act
<b>NIST</b>	National Institute of Standards and Technology
<b>OUSD(C)</b>	Office of the Under Secretary of Defense (Comptroller)
<b>RDT&amp;E</b>	Research, Development, Test, and Evaluation
<b>UOCAVA</b>	Uniformed and Overseas Citizens Absentee Voting Act





# **Whistleblower Protection**

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